

14/2007/048

MR A LEHNER - WEST OF ENGLAND DEVELOPMENTS (TAUNTON) LTD

RESIDENTIAL DEVELOPMENT COMPRISING 76 DWELLINGS (INCLUDING 38 AFFORDABLE DWELLINGS) ON LAND OFF HYDE LANE, HYDE LANE, CREECH ST MICHAEL, TAUNTON AS AMENDED BY AGENT LETTER DATED 22 APRIL 2008 AND ACCOMPANYING PLAN DRG NO 3860/07 REV D RECEIVED 23 APRIL 2008

326710/125993

OUTLINE APPLICATION

1.0 RECOMMENDATION

Subject to consideration of any issues arising from outstanding Consultation responses with the allocated time and the applicants first entering into a Section 106 Agreement to secure the 38 Affordable Houses, Educational Infrastructure provision, contribution to Leisure and Recreation and Traffic contribution Permission Be GRANTED for the following reason and subject to the following conditions relating to submission of all full details for dwellings, roads, parking, drainage, timing of provision:

Reason: "The application comprise both an allocate d site and adjacent land to delver the identified housing need of the village in acceptable manner not impacting adversely on the landscape. The proposal is therefore e considered to comply with the requirements of PPS3 and Policies S1, S7 H11 & CM1 of the Development Plan."

2.0 APPLICANT

Mr A. Lehner - West of England Developments (Taunton) Ltd

3.0 PROPOSAL

The application is an outline proposal and as amended now proposes 76 dwellings in total split 38 open market dwellings and 38 affordable dwellings with and parking on 2.42 hectares of land to the east and south of Hyde Lane, Creech St. Michael.

The proposed size of the dwellings has been set out in the design and access statement. This indicates that the affordable dwellings will be split evenly between low-cost rental through an RSL registered social landlord and low-cost affordable which will be valued at approximately some 70% of a market value and retained in a form indefinitely. The applicants indicate that a 106 agreement will be entered into to secure this position.

In discussions prior to the submission of these revisions the applicants had indicated their willingness to meet in full the infrastructure requirements arising from consultee responses in full. However this has not been specifically confirmed with the revised information and clarification has been sought from the applicants on this issue.

The submission includes a Design and Access Statement Noise Assessment regarding noise from M5, an Ecological Survey a Transport Assessment and draft 106 Agreement.

The application is in outline with all matter reserved for future approval. The proposal is accompanied by a plan showing a possible realignment of Hyde Lane With access into the site from this new road. Existing higher than it would be close to provide a cycle way pedestrian footpath. Existing central page would be returning to assist road alignments and provide a mature boundary treatment. A rear light entrance to the recreational football to the site would be required. It is postulated that higher claims should be retained as a link through to Monkton Heathfield.

The Design and Access Statement indicatives that the development will be two storey in height. The mix for the open market houses will comprise six x two-bed houses, 18 x three-bed houses and 14x four-bed houses. The rental sector will comprise two x one-bed flats, 7 x two-bed houses, 8 x three-bed houses and 2 x four-bed houses. The low cost open market houses will comprise two x one-bed flats, 5 x two-bed houses, 9 x three-bed houses and 3 x four-bed houses.

On the submitted plans the dwellings are shown with 55 provides on the allocated site, of which 17 (31%) will be affordable housing and 21 dwellings on the land outside the settlement boundary which will be 100% affordable housing.

The submitted Design and Access Statement makes the case for the development

This has been prepared following discussions with both the local authority and the parish council and the county council to determine what would be an appropriate mix of development on the site. A housing needs survey has been carried out this identifies a local demand 28 affordable housing. The additional 10 dwellings beyond this requirement will be available to meet the wider nature affordable housing in the borough. The applicant maintained that the site is on the edge of Creech St Michael but convenient services within the village and the British primary school. The development will incorporate energy-efficient housing and the conservation of fuel and natural resources including storage and the use of rainwater. A conference of landscaping and planting scheme will be incorporated. The site is also adjacent to the allocated site for open market and affordable housing.

A sustainable urban drainage system compliant storm water drains and storage system will be subject to comprehensive assessment design. This will utilize pervious services underground storage and aboveground storage purplish benchmarked landscape features. The aim is to provide an attenuation standard leading to Greenfield recruitment run off.

Foul water will be taken to the nearest sewer in high crime but will need to be pumped from the site from gravity sewer is within site.

4.0 THE SITE

The application site comprises undeveloped land and a bungalow and outbuildings at the southern end of the site. The area of the site comprises the land allocated for

development in the local plan together with the curtilage of the bungalow and the undeveloped area of the total area 2.42ha. Of this 0.8ha lies outside the settlement limit.

The site is relatively level with a gentle fall to the northeast and is bounded by hedgerows externally and with the hedgerow internally divided the sites. Hyde lane runs along the eastern and northern boundaries of the site and this road links the Creech St Michael with the built-up areas of Monkton Heathfield to the west.

5.0 RELEVANT PLANNING HISTORY

None

6.0 RELEVANT PLANNING POLICIES

Regional Planning Guidance for the South West (RPG 10)

Policy SS5 – Principal Urban Areas

Policy SS14 - Taunton

Policy SS19 – Rural Areas

EN1 – Landscape and Biodiversity

EN4 – Quality in the Built Environment

EN5 – Health, Education, Safety and other Social Infrastructure

TCS2 – Culture, Leisure and Sport

HO3 – Affordable Housing

HO6 – Mix of Housing Types and Densities

TRAN1 – Reducing the Need to Travel

TRAN3 – The Urban Areas

TRAN10 – Walking, Cycling and Public Transport

RE2 – Flood Risk

Regional Spatial Strategy – The Panel Report on the Draft RSS has recently been issued and the Panel has identified a number of Policy amendments. Relevant policies are:

SD1 – The Ecological Footprint

SD2 – Climate Change

SD4 – Sustainable Communities

Policy A – Development at the Strategically Significant Cities and Towns

Policy G – Sustainable Construction

SR6.4 – Housing Provision – this sets a housing figure for Taunton of 11,000 within the existing urban area, 4000 dwellings within an area of search to the north east of Taunton and 3000 dwelling is an area of search to the south west of Taunton.

H1 – Affordable Housing – Within the 28,000 dwellings per annum (at least) required for the region, the aim should be to provide for at least 10,000 affordable homes per annum in the period to 2026. Policy provision should accordingly be made for at least 35% of all housing development annually across each local authority area and Housing Market Area to be affordable, with Authorities specifying rates of 60% or higher in areas of greatest need.

H2 – Housing Densities

F1 – Flood Risk

RE5 – Renewable Energy and New Development

Somerset and Exmoor National Park Joint Structure Plan Review

Policies Saved in accordance with Direction under paragraph 1 (3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

STR1 - requires a sustainable approach to new development, minimising the length of journeys and maximising the use of public transport, cycling and walking; conserving the biodiversity and environmental assets of an area and ensure access to housing employment and services.

STR6 - controls development outside of settlements to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy 5 - safeguards the landscape character of an area with particular attention to distinctive landscape, heritage or nature characteristics.

Policy 14 - development proposals should ensure that protection of archaeological remains is undertaken.

Policy 33 – Housing requires Taunton Deane to provide for about 10,450 dwellings up until 2011.

Policy 35 – Affordable Housing

Provision will be made for securing housing to meet the needs of those without the means to buy or rent on the open market. The provision shall meet an identified local need and should be available and affordable to successive occupiers.

Policy 49 – Transport Requirements of New Development requires all development proposals to be compatible with the existing transport network and, if not, provision should be made to enable the development to proceed.

Policy 50 - Traffic Management.

Adopted Taunton Deane Local Plan Saved Policies

S1 - General Requirements.

S2 - Design.

S7 - Outside of defined Settlement

Outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and:

- (A) is for the purposes of agriculture or forestry;
 - (B) accords with a specific development plan policy or proposal;
 - (C) is necessary to meet a requirement of environmental or other legislation;
- or

(D) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement.

New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable:

- (E) avoid breaking the skyline;
- (F) make maximum use of existing screening;
- (G) relate well to existing buildings; and
- (H) use colours and materials which harmonise with the landscape.

H9 - Affordable Housing within General Market Housing

H11 – Rural Local Needs Housing

As exceptions to H2, small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing would not otherwise be permitted, either within or adjoining the identified limits of villages and rural centres, provided that:

- (A) there is a local need for affordable housing, defined as the presence of households in need of affordable housing in the following categories:
 - (1) households living or including someone working in the parish or adjoining parishes currently in overcrowded or otherwise unacceptable accommodation;
 - (2) newly formed households living or including someone employed in the parish or adjoining parishes;
 - (3) households including dependants of the households living in the parish or adjoining parishes; or
 - (4) households including a retired or disabled member who has lived or worked in the parish or adjoining parishes for a total of five or more years;
- (B) the site proposed is the best available in planning terms and would not harm the character and landscape setting of the settlement more than is justified by the housing need to be met;
- (C) satisfactory arrangements are made to secure the availability of the dwellings in perpetuity for occupiers who are in a category of need as defined in criterion (A), or other genuine housing need only where this is necessary to secure full occupation of the scheme;
- (D) the proposal does not incorporate high value housing to offset a lower return on the affordable housing; and
- (E) the layout and design of the scheme conforms with policy H2.

M4 - Residential Parking Requirements

M5 - Cycling

C1 – Education Provision

C4 – Leisure and Recreation Provision

In the event of the increased demand for open space not being met by existing facilities, developers of new housing, on sites of six or more dwellings, will provide landscaped and appropriately equipped recreational open space in accordance with the following standards:

- (A) children's play space: 20 square metres per family dwelling to comprise casual play space and LEAPS and NEAPS to the required standard, as appropriate. This standard excludes space required for noise buffer zones;
- (B) adequately constructed and equipped public playing fields: 45 square metres per dwelling. This standard excludes space required for noise buffer zones;
- (C) formal parks, gardens and linear open spaces as required by particular Local Plan allocations;
- (D) in the case of small groups of housing where the site is too small for provision of playing fields or children's play space on-site, or where it is physically unsuitable, off-site provision will be sought; and
- (E) developers will be required to arrange for maintenance of the recreational open space.

C12 - Renewable Energy

EN6 – Protection of Trees, woodlands and hedgerows

EN12 - Landscape Character Areas

EN26 – Water Resources

EN28 – Development and Flood Risk

T1 - Associated Settlements

CM1- A site of 1.1 hectares at Hyde Lane as shown on the Proposals Map is allocated for not less than 35 houses, provided that:

(A) a landscaping scheme is provided, to incorporate the protection of existing boundary hedgerows;

(B) a single vehicular access/egress point is provided to the site; and

(C) an off-road footpath/cycleway is provided through the site, linking to the entrance of the recreation ground.

In association with the development the following will also be sought:

(D) the provision of a traffic calming scheme along the section of Hyde Lane which adjoins the site; and

(E) affordable housing provision in accordance with policies H9 and H10.

Development of the site shall not commence until the northern section of Hyde Lane between Hyde Lane Cottages and Brittons Ash has been closed to through traffic.

CM2 Other than on the site allocated in policy CM1, new housing development will be restricted to small-scale developments, including infilling, within the defined settlement limits.#

7.0 RELEVANT CENTRAL GOVERNMENT ADVICE

Planning Policy Statement 1 – Delivering Sustainable Development (PPS1)

Paragraph 13 - Key Principles

Paragraph 16- Social Cohesion and Inclusion

Paragraph 17 & 18 - Protection and Enhancement of the Environment

Paragraph 27- Delivering Sustainable Development – General Approach

Paragraph 33 – 39 - Design

Planning Policy Statement 1 – Supplement on Climate Change

Planning Policy Statement 3 : Housing (PPS3)

Paragraphs 23 and 24

Paragraphs 27 – 30

Planning Policy Statement 7 : Sustainable Development in Rural Areas (PPS7)

Paragraph 1 - Key Principles

Paragraphs 8 and 9 - Housing

Planning Policy Guidance Note 13 : Transport (PPG13)

Paragraphs 12 – 71 - Housing

Paragraph 19 - Accessibility

Planning Policy Guidance Note 17 Planning for Open Space, Sport and Recreation

Planning Policy Statement 22: Renewable Energy

Planning Policy Statement 25 Development and Flood Risk

8.0 CONSULTATIONS

CREECH ST MICHAEL PARISH - Our Parish Council supports the above application provided that the following criteria is applied:

- **That it complies with** West of England Development's Planning Statement Agreement dated October 2007 and with the 106 Agreement.
- **Construction Traffic:** we would like a construction site management plan with appropriate restriction on the movement of HGVs, and prohibiting lorry movements through Creech St Michael and Creech Heathfield. In addition, Hyde Lane is considered to be a "safe route" to school, and many schoolchildren use it to get to Heathfield School, Monkton Heathfield and Creech St Michael Primary School. For this reason we would also like a condition that construction traffic cannot access Hyde Lane from 8.00am – 9.15am and 3-4.00pm during school days throughout the development. Creech St Michael has a 6'6" width restriction in any event which we would expect to be strictly observed. We would like such a plan to impose a speed limit of 20mph in Hyde Lane in the vicinity of the construction site as appropriate for safety.
- **Link to the new A38 Relief Road:** the proposed Hyde Lane Development will allow a safe pedestrian path for children and others between Creech St Michael Primary School as far as the Motorway Bridge, Hyde Lane, thus strengthening Hyde Lane as a "safe route for children". We still feel strongly that it is very important that a link is made from Hyde Lane to one of the proposed new roundabouts on the new A38 Relief Road. Although we appreciate that traffic will come in from the A38 as well as out, the proposed Hyde Lane Development could mean 120 additional vehicles in Hyde 2 Lane (adjacent to the A38) which, for both environmental and safety reasons, should be able to access the A38 without either going back into Creech St Michael (creating extra traffic past the school and extra congestion in Creech St Michael centre) or attempting to negotiate the narrow and impractical portion of Hyde Lane which passes over a narrow canal bridge and past the rugby club, and which also floods. However, it is vitally important to prevent rat-running through Creech St Michael and Creech Heathfield, and we would like every effort to be made, through design, signage, traffic calming, etc, to prevent this from happening through such a link into the new Relief Road..
- **Recreation Facilities:** the Parish Council holds the Title to the adjacent Hyde Lane Recreation Field, and therefore we would request meetings with representatives of Taunton Deane Borough Council to discuss the developer's obligation to provide recreation facilities and landscaping, and the subsequent maintenance of the same. Further to my letter of 12 January, please also find below a list of considerations which we have asked West of England Developments to adhere to in the above development.

2nd Comment:

This list was prepared by West of England Developments and the Parish Councils supports this application subject to these conditions.

Suggested planning conditions:

1 **Outline application:** Normal conditions covering time period, detailed plans, landscaping etc appropriate to an outline planning application.

2 Hyde Lane restriction/closure: Full details of the proposed restrictions and works to the length of Hyde Lane to be closed to through vehicular traffic shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works. This to include provision for the retention of appropriate agricultural access to the surrounding land. – Reason: to ensure that the future maintenance of this section of Hyde Lane is secured and that adequate agricultural access is retained without conflict with existing and future residential development

3 Affordable housing: The affordable housing is to be spread across the whole of the application site at a consistent average density. – Reason: to ensure that the affordable homes are fully integrated into the overall development pattern.

4 Height of development: The development hereby approved shall not include any residential accommodation above first floor height and be contained within the dimensions identified in paragraph 13.3 of the Planning Statement accompanying the application. Reason: In the interests of visual amenity having regard to the location of the site in relation to the settlement of Creech St Michael and to the adjacent built development.

5 Car park for recreation area: Full construction details of the additional car parking provision for the recreation area shall be submitted to and improved in writing by the Local Planning Authority prior to the commencement of any works. These works to be completed to the reasonable satisfaction and confirmed in writing by the Local Planning Authority prior to the occupation of any dwelling on the application site. Reason: in the interests of highway safety so as to ensure that the car parking is provided in order to avoid on street parking by users of the recreation facilities.

6 Recreation facilities: A scheme for the provision of recreation facilities shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works. This scheme will provide for financial contribution (or works to an equivalent cost) toward the provision and future maintenance of additional and improved facilities on the adjacent recreation field. Reason: To secure appropriate contribution towards improved facilities within the existing facility.

7 Access for construction traffic: A traffic management plan for the delivery of all materials and access to the site for construction workers shall be prepared and submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works. This to include measures to ensure that traffic movements are appropriate in size number and frequency to the available routes and shall also take into account any specific measures appropriate to the use of Hyde Lane by schoolchildren in connection with the adjacent Primary School. Reason: In the interest of highway safety and the amenity of local residents.

Views awaited on amended scheme

COUNTY HIGHWAY AUTHORITY - I refer to the above-mentioned planning application received on 7th January 2008 on which I have the following observations on highway aspects of the proposal.

The site is in part allocated in the Taunton Deane Local Plan and part an exception site. In principle, therefore, I do not have an objection to the development of the land for residential purposes.

The application is in outline with all matters, except access, being reserved for

subsequent approval.

The new road layout through the site, shown as a 5.5m collector road with two 1.8m footways, is acceptable but there are no visibility splays shown on the drawing at the points of access. Visibility splays of 2.4m x 43m in each direction with no obstructions within the splay areas over 300mm will need to be provided and shown on the drawing. The road and visibility splays will need to be secured under a Section 106 Agreement.

The provision of the new road gives an opportunity for the existing road to be downgraded to a footway/cycleway with vehicular use for maintenance only. This is acceptable in principle. It is proposed to have staggered barriers at one end and a gate and bollards at the other. Discussion needs to take place to ensure that these measures are the most appropriate. Traffic Regulation Orders will need to be made for any changes to the highway, particularly in the area on the northern side of the site where the new highway joins the old and for the removal of vehicular rights to the old road.

It is clear that residents of the new development will need pedestrian access to the school and the rest of the village. A footway is shown partway on the northern side of the road along the school frontage. This must link to existing footways on the school frontage. To do this it is likely that a formal narrowing of the carriageway will be needed. This will probably need to be covered by signage giving priority to vehicles in one direction. Details of this will need to be provided for inclusion in the Section 106 Agreement.

The Traffic Statement makes comment about the Local Plan requirement to close Hyde Lane to through traffic. The closure of the road will be affected by the creation of the relief road constructed in conjunction with the Monkton Heathfield Development to the west. The Local Plan suggests that the closure takes place prior to development on this site. In practice, I do not feel that the closure is essential in this timescale and development can probably go ahead in advance of the closure.

The Traffic Statement discusses public transport availability for residents. This is acceptable. It is the usual requirement for substantial housing developments to fund a one-year's free bus pass per dwelling at a cost of £400 per unit. I request that this obligation be included in the Section 106 Agreement.

In conclusion, I do not propose to object, subject to the developer entering into a Section 106 Agreement to secure the elements outlined above. In addition, the following Conditions should also be attached to any consent:-

- The proposed estate roads, footways, footpaths, cycleway, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility

splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

- The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.
- The development hereby approved shall not be brought into use until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Views awaited on amended scheme

COUNTY EDUCATION: I refer to the above planning application for a residential development of 65 new dwellings and am writing to express concerns that the local catchment secondary school would not have sufficient capacity to accommodate additional pupils from households moving into the scheme. I am therefore requesting that any grant of permission is conditional upon a planning obligation being entered into in respect of financial contributions towards education provision. in accordance with Policy C1 of the Taunton Deane local Plan.

On the County Council's normal expectation that there will be demand for 30 additional secondary student places from each 210 new dwellings, the development could be expected to generate the need for 9 secondary school places. Heathfield Community School currently has a net capacity of 1125, although there are currently 1181 pupils on roll. This shortage of space will therefore be significantly exacerbated by the development and a financial contribution to assist in mitigating this would therefore be appropriate.

Having recently revised its figures, the OCSF (formerly the DfES) now estimates the capital cost of providing a secondary school place in Somerset as £17,361 (the Basic Need Cost Multiplier). If nine additional places were required, this would therefore equate to a total contribution of £156,249.

There is currently some limited surplus capacity in respect of the local catchment primary school and it is presently considered unlikely that any new additional primary school accommodation would be justified.

Views awaited on amended scheme

PLANNING POLICY Views awaited on original and amended scheme

FOOTPATHS OFFICER: Access to the eastern termination point of the public footpath T10/26 is at the County road at OSGR 269259 (approximately). The path

then runs in a westerly direction along the track to enter the field at OSGR 267259 (approximately).

Please note that the definitive line of the public footpath T10/26 is along the track and not in the field shown on Ordnance Survey Explorer sheet 128(1:25000). If planning consents are granted further reference should be made to this office
Views awaited on amended scheme.

COUNTY RIGHTS OF WAY TEAM: I can confirm that there is a public right of way (PROW) recorded on the Definitive Map which crosses the area of the proposed development/area highlighted on your plan at the present time (footpath no. T 10/26). I have enclosed a plan showing this footpath for your information.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought.

A PROW being made less commodious for continued public use. New furniture being needed along a PROW.

Changes to the surface of a PROW being needed.

Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would make a PROW less commodious for continued public use (or) create a hazard to users of a PROW then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on 823) 483091.

I have been informed by David Edwards that if the path is to be diverted then this will be done by Taunton Deane Borough Council under the Town and Country Planning Act..

Views awaited on amended scheme

LANDSCAPE OFFICER: Views awaited on original and amended scheme

NATURE CONSERVATION OFFICER: Views awaited on amended scheme

HOUSING ENABLING MANAGER - The requirement for affordable housing is 35% of the total numbers. These would then be split into 50% social rental and the remainder into shared ownership, low-cost open market and intermediate rent. This is in accordance with discussions with the developer.

Views awaited on amended scheme.

DRAINAGE OFFICER - That in the planning statement dated October 2007 surface water disposal is to be subject of a detailed and comprehensive assessment at

design. It will include a SUDS compliant system with all flows have been attenuated to the Greenfield run-off rate for a storm with a 1 in 1 year return period.

This approach is acceptable and should be made a condition of the outline planning approval given.

Same comments still apply on re-consultation on the amended scheme.

ARTS OFFICER - TDBC now has a Public Art and Design Policy with the following requirement:

All developments in excess of 15 residential units or 2500 square metres (gross) of commercial floorspace will be required to contribute towards the provision of public art and public realm enhancements by commissioning and integrating public art into the design of buildings and the public realm or through a commuted sum to the value of 1% of development costs.

Because of the significant size of the site the Hyde Lane development proposal, these requirements will need to be satisfied and as a Statement of Intent regarding public art included in the Access Statement or as a separate statement.

Views awaited on amended scheme.

LEISURE DEVELOPMENT MANAGER - In accordance with Policy C4 provision for play and active recreation must be made.

A contribution of £1023.00 for each dwelling should be made toward provision of facilities for active outdoor recreation to be spent within the village of Creech St. Michael for the benefit of new residents. In addition to this a contribution of £1785.00 for each two-bedroom plus dwelling should be made towards children's play provision near the proposed development for the benefit of residents. These contributions should be index linked.

Views awaited on amended scheme.

ENVIRONMENTAL HEALTH OFFICER - Views awaited on original and amended scheme

PARROTT INTERNAL DRAINAGE BOARD - The Board has been notified of the above application in the weekly list dated 20/12/2007 and would want to comment regarding the above.-proposed development.

The site lies outside the Board area and therefore can only comment in advisory manner however it is likely that the resultant surface water run-off will discharge into the Board's maintained rhyme network. It is my understanding from consulting the application details and as stated within the design and planning statement the disposal of the surface water run-off from the proposals will be confirmed later. However a mixture of sustainable options are proposed to limit the resultant surface water run-off to the existing system. The proposals are to be agreed with the statutory undertaker (Wessex Water) and the local land drainage authority, which is Taunton Deane Borough Council however the Board would also require

that confirmation of adequate surface water disposal and maintenance of infrastructure has been assessed.

The principal requirements for surface water drainage from developments are set out in PPS 25 annexe F and are understood to be • *a material consideration*' this point is emphasised in the Councils' own policies EN26, 27 & 28. The Board are aware together with Environment Agency of flooding difficulties in the Creech St Michael area. and that this development should not exacerbate these local flooding issues. The Board would suggest and expect the use of sustainable drainage techniques to reduce the proposed development's impact on the receiving land drainage system.

The Board would recommend that you contact the Environment Agency (John Southwell) direct to ascertain the Agency views on the above matter.

I trust the above allows you to conclude your dealings with the matter in hand but if you require any clarification do not hesitate to contact the writer.

Views awaited on amended scheme

ENVIRONMENT AGENCY- Views awaited on original and amended scheme.

9.0 REPRESENTATIONS

No representations have been received to the original or amended scheme to date.

10.0 PRINCIPAL ISSUES FOR CONSIDERATION

- A Is the proposal in line with Development Plan and National Planning Policy Guidance? POLICY
- B Is there a proven local need for the proposed development? NEED
- C Is the arrangement to secure appropriate affordable housing in perpetuity appropriate? AFFORDABILITY
- D Is the screening of the site and its landscape and wildlife impact acceptable? LANDSCAPE/WILDLIFE
- E Are the links to the highway network adequate and safe to serve the development? HIGHWAYS
- F Is adequate play and recreation space provided for within the scheme? LEISURE PROVISION
- G Is there adequate education provision provided for within the scheme? EDUCATION
- H Is there adequate provision made for the surface and foul water disposal in relation to the site? DRAINAGE
- I Is the proposal sustainable? SUSTAINABILITY

A. POLICY

The proposal for residential development needs to be assessed against the policies of the Development Plan together with central Government planning policy advice.

The site comprises an area of a land allocated for development under policy CM1 and an adjoining site which lies outside the settlement limit of Creech St Michael. The part of the site within CM1 complies with the requirements of that policy as set out above by providing 55 dwellings incorporating 17 affordable housing units at an average density of 42.6 to the ha. This is within the range of densities suggested by PPS3.

The question to answer in assessing the portion of the scheme outside the development boundary is therefore does the need for affordable housing outweigh the policy objections and are there any other policy and material considerations which would support the proposal or not.

Policy S7 of the Taunton Deane Local Plan states that outside defined settlement limits, new buildings will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and also meets certain criteria. One of these criteria is that buildings should be designed and sited to minimise landscape impact and avoid breaking the skyline. The development of the site as proposed would be contained within fields with existing boundary hedges and is not considered to impact on the character of the area.

Another of the criteria (B) is that any proposal should accord with a specific development plan policy or proposal. Affordable housing schemes may be considered appropriate in the countryside in certain circumstances. This exception to the normal strict control of new residential development in the open countryside is set out in Policy H11 of the Taunton Deane Local Plan relating to rural needs housing. This policy states that small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing should not otherwise be permitted, either within or adjoining the identified limits of village and rural centres, again provided that certain criteria are met. Such proposals will only be acceptable where there is a proven local need and environmental and other standards are met.

Policy H11 is a rural local needs policy and what is being proposed with 100% affordable housing on this site would fall within the rural exceptions policy. The site lies within adjacent to a rural centre. The proposal is considered to fall under the existing Local Plan policy. The development has to be considered in terms of the identified scale of housing need which for Creech St Michael is shown to be 28. Of These 17 are within the CM1 with a further 21 on the exceptions site

There have been no local objections to date to the scheme and all consultees are satisfied that subject to conditions the proposal is acceptable.

B. NEED

The need for affordable housing is a planning consideration and Government policy encourages Local Planning Authorities to increase the supply of affordable housing through appropriate planning policies. The Borough Council is strongly committed to the provision of affordable housing as part of its corporate aims. One of the principal objectives of the Corporate Strategy 2006 – 2009 is to enable the building of 985 units of affordable housing between April 2006 and March 2011. The Local Plan policies reflect this commitment by seeking to meet as much of the housing

need as feasible though the planning role. Government policy requires that affordable housing should include both low cost market and subsidised housing. The applicants have submitted evidence of the need for 28 units of mixed size and tenure in Creech St. Michael and this position is accepted and supported by the Housing Enabling Officer. The scheme provides for in total 38 units 10 above the present requirement.

The affordable housing targets set in the Local Plan were based upon the level of need identified in the Housing Needs Survey undertaken by Couttie Associates in 2002, which was for 131 additional affordable dwellings a year. A desk-based review carried out by the Ark Consultancy on behalf of all the Somerset local authorities in 2006 identified a fourfold increase in need to 564 dwellings per year in Taunton Deane. Although the work by Ark preceded the publication of Practice Guidance on Strategic Housing Market Assessments, and is not fully compliant with that Guidance, it nevertheless has some value in updating and re-assessing the scale of need. The Authority has commissioned further work by Fordham Research to assess the affordable housing need in the area, and this will be published later this year. However, from the evidence already available – from the Ark study, worsening affordability, and significant growth in the Waiting List – it is clear that need has increased significantly and could be argued as acute. The extra 10 units could help meet this acute need.

C. AFFORDABILITY

The applicant has submitted the proposal for affordable housing on the basis of the need in Creech St Michael and the district. The application is supported by the Housing Enabling Manager on the basis of need in the village and has requested a mix of discounted housing and social rented on the scheme. The proposal offers a mix of social rent and low cost market housing with a range of sizes as requested by the Housing Enabling Manager. Paragraph 12 of the Government's 'Delivering Affordable Housing' Policy Statement states there needs to be a good mix of tenures on new developments and the current submission achieve this.

A Section 106 Agreement will be necessary to secure the availability of the dwellings in perpetuity and discussion sare progressing on details for inclusion within sushc an agreement.

D. LANDSCAPE/WILDLIFE

The site is on agricultural land in the countryside and the site is set largely at road level and surrounded by hedges. The large portion of the site is allotted for development and the smaller portion outside of the settlement boundary. There is also an existing dwelling and outbuildings on the southern end of the site.

The proposal seeks to retain existing external boundary hedges and most of the internal hedge. No landscape objections have been received to the proposal.

The Wildlife Report submitted with the application found no evidence of protected species on site and the conclusion identified a number of issues to protect wildlife in general particularly in respect of the existing boundary trees and hedges which act as nesting sites for birds and potential foraging areas for bats.

E. HIGHWAYS

The highway report submitted on behalf of the applicant concludes that there will be no significant impact on the local environment from the site related traffic flows and site related traffic is not likely to exacerbate the accident situation. It is also claimed that bus links in the vicinity are good and participation in the use of public transport by residents can be encouraged by provision of vouchers to the value of £400 per unit. Such a scheme would necessitate inclusion in a legal agreement to secure its provision.

The Highway Authority considers the scheme satisfactory subject to conditions and the provision of a sum towards travel vouchers.

The issue of the closure of Hyde Lane will be achieved by development outside the extent or interest of this site. Consequently, the applicants approach to development here will have no direct bearing of those future plans. The precise highway layout for this proposal can be resolved at the submission of details stage.

F. LEISURE PROVISION

The Leisure Manager has identified that the contribution is necessary towards both on and of site provision which can be included in the section 106 Agreement. The site adjoins the existing Recreation Ground and the Parish would like to see contribution from this site go towards improvements of those facilities. It is considered that this is a matter to be agreed between the Parish and the Leisure Manager once the agreed sum has been provided.

G. EDUCATION

The County Council recognise that the development would result in additional demand for school places. There is considered to be insufficient capacity at the local primary school for the expected number of pupils from the development. A financial contribution is therefore sought for the additional pupils that could be expected from the scheme in accordance with policy C1 of the Local Plan and this would need to be secured through a legal agreement. The applicant has indicated a willingness to so.

H. DRAINAGE

The applicant has submitted drainage details with the application which identifies the site in Flood Zone 1. No objections have to the details provided subject to the imposition of suitable conditions

I. SUSTAINABILITY

The application site lies on an allocated Greenfield site and on other land outside the settlement limit, however it does lie adjacent to the settlement boundary. The Highway Authority consider that there are suitable pedestrian links back into the village and have raised no objections on sustainability grounds.

11.0 CONCLUSION

The proposed site, which lies on the edge of the existing settlement, combines the site allocate for development under Policy CM1 and adjacent land. The development, in isolation of the allocated site would not deliver sufficient housing to meet the needs of the Parishes for 28 dwellings. As now proposed, when combined

with adjacent land beyond the settlement, this total is exceeded. The scale of development will enable full contribution towards education, transport and recreational facilities as sought by consultees.

As shown at the present time to meet the requirements of the exceptions policy part of the site will have a concentration of 21 affordable dwellings with the other portion having a 30% concentration. If the development as submitted is accepted in principle then there would seem to be sense in accepting a degree of “pepper potting” of both open market and affordable housing over the whole site when details are submitted.

There have been no technical objections raised to the proposal nor has there been public objection to the scheme. A request has been made for a contribution towards Public Art. However as this requirement did not form part of initial discussions and in view of the potentially high level of planning gain already to be delivered it is considered unreasonable to seek such a further contribution.

Given these issues, it is considered that the “Affordable Housing” considerations warrant an acceptance of the unallocated part of this site as an exception site as allowed for in the policies of the Development Plan. The recommendation therefore is one of APPROVAL.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: 356454 MR M ROBERTS (PART TIME)

NOTES: